

Agricultural Marketing Specialist (Resident Agent)
GS-1146-12

INTRODUCTION

The Packers and Stockyards Program administers the Packers and Stockyards Act of 1921, as amended and supplemented. The Packers and Stockyards Act is a competition, trade practice and financial protection law, with principal purpose to maintain effective competition and fair trade practices in livestock, meat, and poultry marketing. Members of the livestock and meat industries are also protected against unfair business practices in the marketing of livestock, meats and against restrictions on competition.

The Act requires that stockyard companies, auction markets, livestock market agencies, dealers, packers, and poultry processors, and dealers, whose operations are subject to regulation maintain such records as will disclose in detail all transactions involved in their business including their true ownership. It, therefore, is necessary to make periodic and special examinations of reports and records of persons and firms subject to the Act in order to ascertain whether there has been full compliance.

A regional office is responsible for carrying out assigned functions and activities in the enforcement of the provisions of the Act and regulations issued under its authority. Each regional office is responsible for regulating either: the beef and lamb; pork or the poultry industries throughout the United States. Each regional office is also responsible for a multi-state geographic area to enforce the provisions of the Act and regulations in local markets that may or may not impact directly the national livestock, meat and poultry industry.

DUTIES AND RESPONSIBILITIES

Carries out enforcement of jurisdictional, competition, financial and trade practice provisions of the Act, primarily by conducting investigative work, direct surveillance and related work pertaining to the livestock, meat and poultry operations in the assigned geographic area that impact local markets of the livestock, meat and poultry industries.

Independently, or as a team leader as the situation requires, makes detailed and technical investigations of persons and firms subject to the Act operating in this region to determine whether their operations are being conducted in conformity with the Act and regulations. Makes observations to determine whether conditions detrimental to the interests of livestock producers and poultry growers exist and obtains evidence and compiles related data to be used as a basis for formal action against those who have violated the provisions of the Act. Independently, or as a team leader, performs trade practice, payment and custodial account investigations of registrants, packers and live poultry dealers operating within the assigned region that are subject to the Act. Observes, interviews, and questions the parties involved and, if necessary, takes sworn statements and prepares investigative reports, analysis, and recommendations. Investigates complaints alleging monetary damages and attempts to negotiate a settlement. If satisfactory settlement cannot be made informally and the complainant desires to file a claim for reparation,

the incumbent submits a factual report of the investigation made, together with any recommendations, which becomes part of the formal file in the proceeding. Makes investigations of new and expanding registrants, packers and live poultry dealers to ascertain whether they meet the jurisdictional requirements of the Act. When stockyards have been posted under the Act, sees that all subject persons or firms operating there are registered and bonded and that the market agencies operating at the posted stockyards have filed proper tariffs covering their schedule of charges. Ascertains that registrants, live poultry dealers and packers maintain adequate sets of records as required by the Act. Advises registrants, live poultry dealers and packers of the records they must maintain and when inadequacies are found, specifies the necessary adjustments to affect compliance.

Conducts investigations by personal observation or assists others in investigations of the practices of livestock, packing plant, or poultry processing plant weighmasters to determine whether they comply with official weighing instructions, whether they exercise appropriate diligence and care in their operations, and whether they derive and record true weight values. Reviews scale tickets, annual reports and other source records of individuals or firms subject under the Act to determine whether weight gains of livestock speculators exceed normal margins and whether weighers are violating regulations governing their responsibilities. Investigates complaints of alleged weight losses, excessive shrinkage or related subjects. Prepares confidential reports or segments of reports and recommends practical methods for improving conditions found to be questionable or unsatisfactory. Assignments assure protection to the sellers of livestock, poultry, and meat from unfair, deceptive, unjustly discriminatory practices, monopolistic practices, and ultimately the consumer in fair market pricing.

As individual or a team leader, conducts investigations with lower grade investigators to inform and instruct in the policy and procedures used by the Agency.

Participates in the conduct of investigations in other regions as necessary.

On the basis of observations of marketing conditions, recommends the development of appropriate measures for handling on day-to-day basis complaints received from livestock and poultry producers and other members of the livestock, poultry, and meat marketing industries. Conducts investigations necessary to ascertain the true circumstances surrounding the transactions and then reviewing of the records of persons and firms involved and the evaluation of the facts developed to determine whether the complaint is

Develops annual and quarterly work plans to investigate unfair, unjustly discriminatory or deceptive practices in the assigned geographic area. The incumbent also is responsible with maintaining a constant flow of information to the regional office on the state-of-the-art advances in this industry.

Maintains a current knowledge of the structure, marketing conditions and behavior in the assigned geographic area. Identifies emerging developments that may have important effects upon trade practices, financial and competitive issues relating in the local area.

As time permits or as workload demands, the incumbent performs other duties as assigned.

The incumbent works closely with Departmental and agency attorneys in explaining

investigations, investigative reports and evidence to be used in hearings and litigation. Prepares material for use in questioning witnesses and may take the witness stand to testify on aspects of cases.

Works with other Federal and State government agencies in conducting surveillance and investigations. Under the direction of the Resident Agent Supervisor, the incumbent makes public presentations to the livestock, meat and poultry industry on matters that are of concern to the public.

Attends meetings and addresses regional, and State associations and conventions of industry associations, explaining the provisions of the Act and policies of the Agency. Attends meetings of government officials to discuss mutual interests. Confers with officials of companies and other industry representatives as necessary.

FACTORS

1. Knowledge required by the Position

Knowledge of financial and trade practices in livestock, meat and poultry marketing, methods, and techniques in order to conduct complex investigations of firms in the livestock, meat, and poultry industries. Skill in developing investigative work plans, and devising and applying modifications to conventional investigative techniques in order to carry out investigations.

Knowledge of agency programs, Packers and Stockyards Act, regulations, policy statements, rules of practice, and controlling administrative and judicial decisions in order to determine the degree of compliance with the provisions of the Act.

Ability to use personal computers in order to create spreadsheets, graphs, charts, and perform word processing functions.

Understanding of the livestock, meatpacking and poultry industries.

Skill in verbal and written communications in order to conduct investigations, prepare and present findings and recommendations, carry out specific actions on significant or controversial issues.

2. Supervisory Controls

The incumbent is under the general supervision of the Resident Agent Supervisor who provides administrative supervision and broad program direction. Agency and regional priorities are relayed to the incumbent through the Resident Agent Supervisor and agency staff meetings. Technical guidance in the form of possible approaches to very unusual or sensitive problems is available from the Resident Agent Supervisor and Unit Supervisors in the regional office. The nature of the work requires that frequent on-the-spot decisions be made concerning interpretation of policy without consulting the Resident Agent Supervisor. The incumbent keeps the Resident Agent supervisor informed of progress, findings of violations of the Act and alerts the him/her of practices discovered in the investigation which may be present in other regions or which may impact upon agency.

Latitude is given to the incumbent for independent or un-reviewed action or decisions in accordance with established Department and Agency policies and regulations. Must be able to deal with a wide variety of individuals, at time hostile, and in their territory. Analyzes and interprets statutes and regulations and relates them to the practices that violate the act and what needs to be done to correct the violations. They have the expertise and ability to deal with complex situations due to their experience and knowledge of the regulated industry. Recommendations to those outside of the agency or to administrative officials at higher levels are normally made through the supervisor. Work is reviewed for soundness of overall approach, compatibility with intended objectives, feasibility of recommendations, and to ensure that incumbent achieved maximum use of allocated resources.

3. Guidelines

Guidelines consist of previous investigative reports, Employee Manual, the Act, regulations, policy statements, rules of practice, and formal orders and stipulations. The guidelines are useful in providing a framework of principles upon which the incumbent develops plans for carrying out the work. They must work independently and have the expertise and ability to deal with complex situations. Must be able to deal with a wide variety of individuals. Analyzes and interprets statutes and regulations and relates them to the practices that violate the act and what needs to be done to correct the violations. They must be able to relate this to the industry so violations can be corrected.

4. Complexity

Assignments are broad in scope and cover issues that are not clearly discernible which must be investigated to uncover concealed facts. The essential purpose of the work is to enforce compliance with the provisions of the P&S Act. Assignments involve investigating industry operations that require the selection and application of appropriate legal and regulatory guidelines, application of a variety of investigative techniques, and analysis of facts and evidence. Must be able to make independent decisions that will be effective with the records that are available and different accounting styles. If records aren't available at the firm being investigated, they need to know where to get the required records or be able to put the information together with limited resources. Many complaints require dealing with the controversy that can involve irreconcilable differences. Must determine effect on others and the action that needs to be taken. Results of investigations may call for formal action and can receive considerable interest from the industry and members of congress.

5. Scope and Effect

The purpose of the work is to determine the degree of industry compliance with the provisions of the Packers and Stockyards Act, supplements and regulations issued thereunder. Develops investigative plans and methods. The effect is an efficient and effective resident agent program, skilled and proficient resident agents, and improved stability in the livestock, meat, and poultry industry. The work of the position assures protection of the sellers of livestock, poultry and meat from unfair, deceptive, unjustly discriminatory and monopolistic practices, and ultimately the consumer in fair market pricing.

6. Personal Contacts

Personal contacts are with owners, officers, management officials, production personnel, and accountants of the subject firms and other members of the trade. Communicates with regional staff, federal, state and local government officials engaged in related regulatory activities.

7. Purpose of Contacts

The purpose of contacts is to explain Agency requirements relative to the P&S Act and Regulations. Explains requirements concerning the adequacy of records and to arrange for access to all information, records, and individuals needed to conduct a complete investigation. The incumbent, with approval of the Resident agent supervisor, is responsible for explain findings to representatives of the firm in investigation closeouts, justifies conclusions, and uses persuasion in gaining acceptance of critical findings and corrective recommendation as industry is often reluctant to accept recommendations for changes in operating practices. A high level of negotiating skill is needed due to the complexity of the investigations. Other contacts are for the purposes of assimilating evidence, presenting findings and other information, and coordinating and assisting in efforts of formal proceedings against firms charged with violations of the Act.

8. Physical Demands

There is some carrying of equipment, walking over rough terrain, working with livestock, lifting of 50 pounds or less, and some night observations. Considerable driving is required on mostly paved 2 and 4 lane roads.

9. Work Environment

The work is usually performed in an office setting with occasional exposure to uncomfortable conditions such as stockyards, dealer buying stations, meat packing plants and poultry processing plants. 50- 75 % travel (local and overnight) may be required.